

**Introduced by Committee on Health and Human Services  
(Senators Ortiz (Chair), Alarcon, Chesbro, Escutia, Figueroa,  
Florez, Kuehl, Romero, Vasconcellos, and Vincent)**

March 27, 2003

---

An act to add Section 138.6 to the Health and Safety Code, relating to women's health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1075, as introduced, Committee on Health and Human Services. Breast cancer: alternatives to mammography.

Existing law establishes the Office of Women's Health within the State Department of Health Services. The functions of the office include, among others, to communicate and disseminate information and perform a liaison function within the department and to providers of health, social, educational, and support services to women. Existing law requires the department to place priority on providing information to consumers, patients, and health care providers, regarding women's gynecological cancers, as specified.

This bill would require the department to include in any literature regarding breast cancer that it produces prescribed information regarding breast cancer.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

1 (a) Breast cancer now strikes more women in the world than  
2 any other type of cancer. In the past 50 years, the lifetime risk of  
3 having breast cancer has nearly tripled in the United States. In the  
4 1940s, a woman's lifetime risk of breast cancer was 1 in 22. In the  
5 year 2002, the risk is 1 in 8. Breast cancer is the leading cause of  
6 death for American women ages 34 to 54 years, and the second  
7 leading cause of cancer death for all American women.

8 (b) This year alone, an estimated 203,500 women in the United  
9 States will be diagnosed with invasive breast cancer, and 54,300  
10 with ductal carcinoma in situ, which is a noninvasive tumor  
11 contained in a milk duct. An estimated 40,000 will die from the  
12 disease. An estimated 3 million women in the United States today  
13 are living with breast cancer. Two million have been diagnosed  
14 with the disease, and one million have the disease but do not yet  
15 know it.

16 (c) All women are at risk for breast cancer, whether or not the  
17 disease is in their family. Heredity accounts for less than 10 percent  
18 of all breast cancer cases, but it remains an important risk factor  
19 that cannot be dismissed.

20 (d) Early detection of localized breast cancer continues to  
21 figure prominently in the survival rate for the disease.

22 (e) Mammography does not prevent breast cancer, but the  
23 earlier breast cancer is detected by self-examination or  
24 mammography and followed by treatment, a greater the woman's  
25 chances of survival. However, mammographic X-rays fail to  
26 detect as many as 20 percent of breast cancers in women over 50  
27 years of age, and as many as 40 percent in younger women. Other  
28 drawbacks include the invasive use of radiation, a known  
29 carcinogen, and the fact that breast tumors have been growing, on  
30 average, 8 to 10 years before they can be picked up by  
31 mammography. Research into mammography alternatives is  
32 ongoing, and better ways to detect breast cancer are currently  
33 being developed and presented for public and institutional review  
34 and use.

35 SEC. 2. Section 138.6 is added to the Health and Safety Code,  
36 to read:

37 138.6. (a) The department shall include in any literature that  
38 it produces regarding breast cancer information that shall include,  
39 but not be limited to, all of the following:



1 (1) Summarized information on risk factors for breast cancer  
2 in younger women, including, but not limited to, information on  
3 the increased risk associated with a family history of the disease.

4 (2) Summarized information regarding detection alternatives  
5 to mammography, such as pulsed ultrasound imaging, that may be  
6 available and more effective for at-risk women between the ages  
7 of 25 and 40 years.

8 (3) Information on Web sites of relevant organizations,  
9 government agencies, and research institutions where information  
10 on mammography alternatives may be obtained.

11 (b) The information required by subdivision (a) shall be subject  
12 to all of the following:

13 (1) Restrictions imposed by space limitation on materials  
14 currently produced and distributed by the department.

15 (2) Future regular production and replacement schedules.

16 (3) Translation standards governing the number of languages  
17 and literacy levels.

18 (c) It is the intent of the Legislature that subdivisions (a) and (b)  
19 apply to information that is distributed by any branch of the  
20 department, including, but not limited to, the Cancer Detection  
21 Section and the Office of Women's Health, which are charged with  
22 providing information about cancer.

